

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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IFMK REALTY II, LLC,

Plaintiff,

v.

ATLANTIC PROPERTY DEVELOPMENT,  
LLC, et al.

Defendants.

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Civil Action No. 20-6989 (MAS)(DEA)

**ORDER and JUDGMENT**

This matter comes before the Court<sup>1</sup> on Plaintiff IFMK Realty II, LLC's ("IFMK") motion for default judgment as to Defendants Atlantic Property Development, LLC ("Atlantic") and Francis M. Ferrari ("Ferrari"), pursuant to Federal Rule of Civil Procedure 55(b)(2) for failure to answer or otherwise respond to IFMK's Complaint. The Court decides the matter without oral argument in accordance with Federal Rule of Civil Procedure 78(b) and Local Civil Rule 78.1. For the reasons in the accompanying Opinion,

**IT IS** on this 14<sup>th</sup> day of May 2021

**ORDERED** that IFMK's motion for default judgment (ECF No. 15, as amended by ECF No. 19) is GRANTED; and it is further

**ORDERED** that judgment as to liability only is hereby entered as to Counts One, Two, and Three against Atlantic; and it is further

**ORDERED** that judgment as to liability only is hereby entered as to Court One as to Ferrari, and it is further

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<sup>1</sup> The parties consented to the jurisdiction of the undersigned for disposition of this motion. ECF No. 17.

**ORDERED** that judgment having been entered in favor of IFMK on Count Two, IFMK is entitled to an award of attorneys fees in an amount to be determined upon IFMK's submission of its proofs, and it is further

**ORDERED** that IFMK may make an application for an award of damages at the appropriate time.

*s/ Douglas E. Arpert*  
DOUGLAS E. ARPERT  
United States Magistrate Judge

---terminates ECF No. 15